



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,426	03/26/2001	Thai-Lai Pham	2000P07534 US01	8487

7590 08/09/2004

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

PHAN, TAM T

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,426

Applicant(s)

PHAM ET AL.

Examiner

Tam (Jenny) Phan

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined. Claims 1-21 are presented for examination.

Priority

2. This application claims benefit of the provisional application 60/193,019 (03/29/2000).
3. The effective filing date for the subject matter defined in the pending claims which has support in parent 60/193,019 in this application is 03/29/2000. Any new subject matter defined in the claims not previously disclosed in parent 60/193,019, is entitled to the effective filing date of 03/26/2001.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Olgaard et al. (U.S. Patent Number 6,542,740), hereinafter referred to as Olgaard.
6. Regarding claim 1, Olgaard disclosed a method of providing a service to a device, comprising the steps of querying at least one client within an environment for an available resource; receiving query information from the client; forwarding the query information to a gateway; and requesting the service from a gateway, the gateway distributing the service through the available resource provided by the client (column 1 lines 31-43, column 3 lines 33-47, column 5 lines 30-42, column 6 lines 1-16, column 7 lines 18-60).

7. Regarding claim 2, Olgaard disclosed a method wherein the environment includes at least two resources, and the gateway performs the method steps of organizing the resources of the client; and synchronizing the service distributed through the resources provided by the client (column 4 lines 53-67, column 7 lines 18-34, lines 41-60, column 9 lines 42-54).

8. Regarding claim 3, Olgaard disclosed a method wherein the environment includes at least two resources, and the gateway performs the method steps of evaluating the request for the service and the available resources to determine a match; and generating an assignment of the service to a matched resource of the client (column 4 lines 53-67, column 6 lines 5-16, column 7 lines 41-60).

9. Regarding claim 4, Olgaard disclosed a method further comprising the step of reserving the resource provided by the client for providing the service to the device (column 4 lines 53-67, column 6 lines 5-16, column 7 lines 41-60).

10. Regarding claim 5, Olgaard disclosed a method further comprising the step of passing control of a composite device including the client and the device, from the device to the client (column 8 lines 3-20).

11. Regarding claim 6, Olgaard disclosed a method wherein the device accepts input to a composite device including the client and the device (column 4 lines 19-31, column 5 lines 30-42, column 8 lines 3-20).

12. Regarding claim 7, Olgaard disclosed a method wherein the device communicates with the gateway via a wireless connection (Figures 1, 6-10, column 3 lines 32-47, column 7 lines 18-34)

13. Regarding claim 8, Olgaard disclosed a method wherein the client and the gateway communicate through one of a wireless connection and a wire-line connection (Figures 1, 6-10, column 3 lines 32-47, column 7 lines 18-34, column 12 lines 26-42).
14. Regarding claim 9, Olgaard disclosed a method wherein the device is one of a personal digital assistant and an Internet ready cellular telephone (Figures 1, 6-10, column 1 lines 16-20, column 3 lines 14-26, column 12 lines 26-42).
15. Regarding claim 10, Olgaard disclosed a method wherein the device includes a web browser application (column 3 lines 14-26).
16. Regarding claim 11, Olgaard disclosed a method wherein the device functions in one of three modes with respect to the client, the modes including abdicative, cooperative, and exclusive (column 4 lines 19-30, column 8 lines 3-21).
17. Regarding claim 12, Olgaard disclosed a method wherein the service is one of an audio service, a video service, and an audio/visual service (column 8 lines 37-49, column 9 lines 42-47, column 20 lines 16-23).
18. Regarding claim 13, Olgaard disclosed a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for establishing a composite device providing at least one service to a wireless device component of the composite device, the method steps comprising: evaluating a request for a service and an available resource of at least one client of the composite device to determine a match; organizing the resource of the client; and generating an assignment of the service to a matched resource of the client (column 3 lines 14-47, column 7 lines 18-34, lines 41-60, column 9 lines 42-55, column 12 lines 26-42).

Art Unit: 2144

19. Regarding claim 14, Olgaard disclosed a program storage device further comprising the step of synchronizing the service distributed through the resource provided by the client (column 4 lines 53-67, column 7 lines 41-60, column 9 lines 42-54).

20. Regarding claim 15, Olgaard disclosed a program storage device wherein the step of establishing the composite device including the client and the wireless device is based on at least one of location dependent information received from the wireless device, predefined environmental knowledge, and dynamic information on the status of the client within the composite device (column 2 lines 7-26, column 7 lines 1-15).

21. Regarding claim 16, Olgaard disclosed a program storage device wherein the predefined environmental knowledge includes location information for the client (column 2 lines 7-26, column 7 lines 1-15).

22. Regarding claim 17, Olgaard disclosed a program storage device wherein the predefined environmental knowledge includes resource information for the client (column 2 lines 7-26, column 7 lines 1-15).

23. Regarding claim 18, Olgaard disclosed a program storage device wherein the step of generating the assignment further comprises one of splitting content, converting content, and filtering content upon determining a mismatch between the requested service and the available resource (column 5 lines 30-42, column 6 lines 5-16, column 7 lines 41-60).

24. Regarding claim 19, Olgaard disclosed a distributed device comprising a plurality of autonomous components which cooperate with a gateway component to provide a service to a wireless device component through at least one resource provided by at least one client component, the gateway component which assigns the service to the resource (column 3 lines 33-47, column 4 lines 53-67, column 7 lines 18-34).

25. Regarding claim 20, Olgaard disclosed a distributed device wherein the gateway component synchronizes two of more services provided to the wireless device component (column 4 lines 53-67, column 7 lines 41-60).

26. Regarding claim 21, Olgaard disclosed a distributed device wherein the client component and the gateway component communicate through one of a wireless connection and a wire-line connection (Figures 1, 6-10, column 3 lines 32-47, column 7 lines 18-34, column 12 lines 26-42).

27. Since all the limitations of the claimed invention were disclosed by Olgaard, claims 1-21 are rejected.

Claim Rejections - 35 USC § 103

28. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

29. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge et al. (U.S. Patent Number 6,421,716), hereinafter referred to as Eldridge, in view of Newell et al. (U.S. Patent Number 6,466,232), hereinafter referred to as Newell.

30. Regarding claim 1, Eldridge disclosed a method of providing a service to a device, comprising the steps of querying at least one client within an environment for an available resource; receiving query information from the client; forwarding the query information to a gateway; and requesting the service from a gateway, the gateway distributing the service to the

Art Unit: 2144

client (Abstract, Figures 1-3, 5-13, column 2 lines 43-48, column 6 lines 25-38, column 8 lines 24-52, column 12 lines 42-65).

31. Eldridge taught the invention substantially as claimed. However, Eldridge did not expressly teach a method wherein the gateway distributes the service through the available resource provided by the client.

32. Eldridge suggested exploration of art and/or provided a reason to modify the method of Eldridge with a gateway being able to distribute the service through the available resource provided by the client (Abstract, column 1 line 65-column 2 line 13).

33. Newell disclosed a method wherein the gateway distributing the service through the available resource provided by the client (column 11 lines 51-67, column 12 lines 45-60, column 13 line 51-column 14 line 13).

34. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Eldridge with the teachings of Newell to include a gateway being able to distribute the service through the available resource provided by the client in order to provide a user interface that offers users of the mobile transaction service, fast and easy access to services that are proximate to the location at which the users are physically situated (column 2 lines 21-29).

35. Regarding claim 2, Eldridge disclosed a method wherein the environment includes at least two resources, and the gateway performs the method steps of organizing the resources of the client; and synchronizing the service distributed through the resources provided by the client (Figures 1-3, column 3 lines 25-36, column 4 lines 24-36, column 5 lines 4-23).

36. Regarding claim 3, Eldridge and Newell disclosed a method wherein the environment includes at least two resources, and the gateway performs the method steps of evaluating the

request for the service and the available resources to determine a match; and generating an assignment of the service to a matched resource of the client (Eldridge, column 7 lines 12-23, column 12 lines 42-65, column 13 lines 22-43; Newell, column 7 lines 19-39, column 11 lines 25-50).

37. Regarding claim 4, Eldridge disclosed a method further comprising the step of reserving the resource provided by the client for providing the service to the device (column 7 lines 12-23, column 12 lines 42-65, column 13 lines 22-43).

38. Regarding claim 5, Newell disclosed a method further comprising the step of passing control of a composite device including the client and the device, from the device to the client (column 4 lines 44-65, column 12 lines 1-32, lines 38-60).

39. Regarding claim 6, Newell disclosed a method wherein the device accepts input to a composite device including the client and the device (column 4 lines 44-65, column 12 lines 1-32, lines 38-60).

40. Regarding claim 7, Eldridge disclosed a method wherein the device communicates with the gateway via a wireless connection (Figures 1-3, column 3 lines 25-49).

41. Regarding claim 8, Eldridge disclosed a method wherein the client and the gateway communicate through one of a wireless connection and a wire-line connection (Figures 1-3, column 3 lines 25-49).

42. Regarding claim 9, Eldridge disclosed a method wherein the device is one of a personal digital assistant and an Internet ready cellular telephone (Figures 1-3, column 3 lines 37-49).

43. Regarding claim 10, Eldridge disclosed a method wherein the device includes a web browser application (column 14 lines 1-18).

44. Regarding claim 11, Newell disclosed a method wherein the device functions in one of three modes with respect to the client, the modes including abdicative, cooperative, and exclusive (column 12 lines 1-32, lines 38-60).

45. Regarding claim 12, Newell disclosed a method wherein the service is one of an audio service [microphone, speaker], a video service [digital cameras], and an audio/visual service [microphone, speaker, visual] (Figures 1-2 & 5, column 4 lines 56-65).

46. Regarding claim 13, Eldridge and Newell disclosed a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for establishing a composite device providing at least one service to a wireless device component of the composite device, the method steps comprising: evaluating a request for a service and an available resource of at least one client of the composite device to determine a match; organizing the resource of the client; and generating an assignment of the service to a matched resource of the client (Eldridge, column 3 lines 14-47, column 7 lines 18-34, lines 41-60, column 9 lines 42-55, column 12 lines 26-42; Newell, column 11 lines 25-50, column 12 lines 1-32).

47. Regarding claim 14, Eldridge and Newell disclosed a program storage device further comprising the step of synchronizing the service distributed through the resource provided by the client (Eldridge, column 5 lines 4-23; Newell, column 3 lines 46-61, column 12 45-60).

48. Regarding claim 15, Eldridge disclosed a program storage device wherein the step of establishing the composite device including the client and the wireless device is based on at least one of location dependent information received from the wireless device, predefined environmental knowledge, and dynamic information on the status of the client within the

composite device (Abstract, Figures 1-3, column 6 line 52-column 7 line 11, column 8 lines 24-64).

49. Regarding claim 16, Eldridge disclosed a program storage device wherein the predefined environmental knowledge includes location information for the client (Abstract, column 6 line 52-column 7 line 11).

50. Regarding claim 17, Eldridge disclosed a program storage device wherein the predefined environmental knowledge includes resource information for the client (column 5 lines 4-23, column 6 line 52-column 7 line 23, column 12 lines 42-65).

51. Regarding claim 18, Eldridge disclosed a program storage device wherein the step of generating the assignment further comprises one of splitting content, converting content, and filtering content upon determining a mismatch between the requested service and the available resource (column 5 lines 4-23).

52. Regarding claim 19, Eldridge and Newell disclosed a distributed device comprising a plurality of autonomous components which cooperate with a gateway component to provide a service to a wireless device component through at least one resource provided by at least one client component, the gateway component which assigns the service to the resource (Eldridge, Abstract, Figures 1-3, column 6 lines 25-38, column 8 lines 24-52; Newell, column 11 lines 25-67, column 12 lines 16-32).

53. Regarding claim 20, Eldridge and Newell disclosed a distributed device wherein the gateway component synchronizes two or more services provided to the wireless device component (Eldridge, column 5 lines 4-23; Newell, column 3 lines 46-61, column 12 45-60).

54. Regarding claim 21, Eldridge disclosed a distributed device wherein the client component and the gateway component communicate through one of a wireless connection and a wire-line connection (Figures 1-3, column 3 lines 25-49).

55. Since all the limitations of the claimed invention were disclosed by the combination of Eldridge and Newell, claims 1-21 are rejected.

Conclusion

56. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Thelmer et al. (U.S. Patent Number 5,555,376) disclosed a method for superimposing prespecified locational, environmental, and contextual controls on user interactions, including interactions of mobile users, with computational resources. A system is described for electronically monitoring contextual information concerning users and machines, including state and locational information including proximity. Methods are described for detecting, selecting and controlling computer controlled devices, based on the proximity of the device to the user, the current context of the user, the location of other nearby users and devices, and the current state of the devices. Temporary transfer of control, including exclusive control, of particular computers and computer controlled devices to individual users based on the context and environment in proximity to those computing devices is also described.

b. Landgren (U.S. Patent Number 6,115,754) disclosed a location appending system concerning a mobile unit to a communication passing through a gateway between a wireless network and the Internet. The system includes a gateway interface, an Internet request parsing unit, a location determination unit and a wireless network interface. The

gateway allows the location parsing system to operate in conjunction with the gateway. The Internet request parsing unit parses communications passing through the gateway and determines which of the communications require location information. The location determination unit identifies the associated mobile unit and produces a locate request that includes the identity of the mobile unit. The wireless network interface forwards the locate request to the wireless network receives a locate response from the wireless network. The location determination then determines the location information based upon the locate response.

c. Pendlebury et al. (U.S. Patent Number 6,493,760) disclosed a distributed token-enabled operating environment in which document services are made accessible from a mobile computing device. The mobile computing device dynamically formulates and stores document tokens that reference electronic documents located on file servers coupled to a wire-based network. The mobile computing device includes a user interface for invoking document services to be performed on the electronic documents referenced by the document tokens. A token-enabler unit is attached to or located proximate to a non token-enabled device. The token-enabler unit is configured to respond to queries from mobile computing devices requesting the identification of document services available at the non token-enabled device to which it is attached or proximately located. The token-enabler unit responds to document service request from the mobile computing device by providing information for identifying document services offered by the non token-enabled device. Upon receipt of the identifying information, the mobile computing device through a token-enabled server invokes services available at the non token-enabled device to be performed on electronic documents referenced by selected document tokens.

57. Refer to the enclosed PTO-892 for details and complete listing of other pertinent prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William Cuchlinski
SPE
Art Unit 2144
703-308-3873